



## Legislative Council Staff

*Nonpartisan Services for Colorado's Legislature*

# Bill 6

## FISCAL NOTE

**Drafting Number:** LLS 20-0348  
**Prime Sponsors:**

**Date:** October 22, 2019  
**Bill Status:** Bill Request  
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**Bill Topic:** **TRANSP PLANNING ORGANIZATION AUTHORITY TO ACT AS AN RTA**

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**Summary of  
Fiscal Impact:**

- |  |   |
|--|---|
| <input type="checkbox"/> State Revenue                                   | <input type="checkbox"/> TABOR Refund                                       |
| <input checked="" type="checkbox"/> State Expenditure ( <i>minimal</i> ) | <input checked="" type="checkbox"/> Local Government ( <i>conditional</i> ) |
| <input type="checkbox"/> State Transfer                                  | <input checked="" type="checkbox"/> Statutory Public Entity                 |

The bill allows transportation planning organizations to exercise some or all of the powers of a regional transportation authority by adopting a resolution. The bill minimally increases state workload beginning in FY 2019-20.

**Appropriation  
Summary:**

No appropriation is required.

**Fiscal Note  
Status:**

This fiscal note reflects the bill draft as requested by the Transportation Legislation Review Committee.

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### Summary of Legislation

Current law allows municipalities and counties to join together to create regional transportation authorities (RTAs) to finance, construct, operate, or maintain a regional transportation system. This bill allows transportation planning organizations to act as RTAs by adopting a resolution. If a transportation planning organization decides to adopt a resolution to exercise the powers of an RTA, the resolution must include:

- the regional transportation systems that the transportation planning organization plans to provide, such as transit; and
- the boundaries of the proposed RTA, which, without their consent, may not include municipalities or unincorporated areas of counties that are not members of the transportation planning organization.

Transportation planning organizations are subject to all the requirements and limitations of RTAs and several other laws, including notice, public hearing, intergovernmental agreement, and voting requirements. However, when context indicates that a requirement or limitation cannot reasonably be applied to a transportation planning organization, the requirement or limitation does not apply to a transportation planning organization acting as an RTA.

## Background

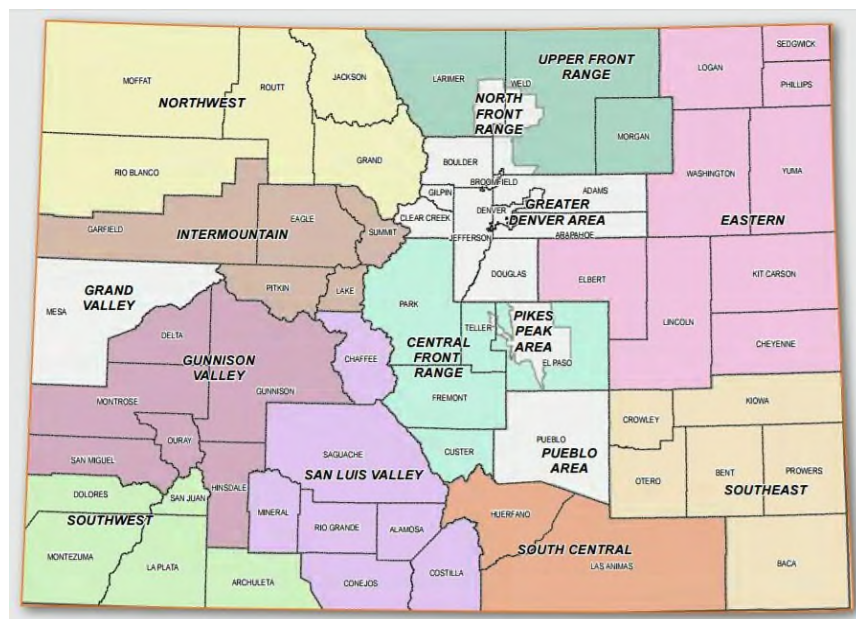
**Regional transportation authorities.** RTAs must be approved by the registered electors within the boundaries of the proposed authority. Once approved, RTAs can finance, construct, operate, or maintain regional transportation systems. If an authority's proposed transportation system affects, alters, or negatively affects the road systems controlled by the Department of Transportation (CDOT), the Regional Transportation District (RTD), or any bordering entities, the impacted entity may enter into an intergovernmental agreement with the authority to address the identified services before submitting a proposal to registered electors. Regional transportation authority boards may also create local improvement districts within their boundaries to facilitate the financing, construction, operation, or maintenance of regional transportation system improvements.

State law authorizes regional transportation authorities to establish, collect, and increase or decrease tolls, rates, and charges to finance a transportation system. Authorities may levy sales taxes, impose an annual motor vehicle registration fee, levy a visitor benefit tax, impose a property tax, establish regional transportation activity enterprises, and issue bonds. Authority taxation questions and multi-year debt questions must be submitted to the registered electors residing within the authority's boundaries for approval.

Five regional transportation authorities currently exist in the state: Gunnison Valley Rural Transportation Authority; Pikes Peak Rural Transportation Authority; Roaring Fork Regional Transportation Authority; San Miguel Authority for Regional Transportation; and South Platte Valley Regional Transportation Authority.

**Transportation planning organizations.** There are ten Transportation Planning Regions and five Metropolitan Planning Organizations in Colorado that are considered transportation planning organizations. These planning regions identify transportation priorities within their region, which are incorporated into the statewide transportation plan. Figure 1 below provides a map of these regions.

**Figure 1**  
**Colorado's Transportation Planning Regions**



Source: Colorado Department of Transportation.

## **State Expenditures**

The bill minimally increases workload for the Department of Local Affairs and CDOT beginning in FY 2020-21.

**Department of Local Affairs.** The bill minimally increases workload for the Department of Local Affairs beginning in FY 2020-21. The Division of Local Government in the Department of Local Affairs issues certificates to duly formed RTAs. The division also provides information and advice to RTAs regarding various laws affecting local governments. Any increase can be accomplished within existing resources. No appropriation is required.

**Department of Transportation.** The bill minimally increases workload for CDOT to review any authorizing resolutions in order to ascertain if a new authority's proposed transportation system affects, alters, or negatively affects the road systems controlled by CDOT. Funding from the State Highway Fund is allocated by the Transportation Commission, which will adjust any funds that result from a increase in CDOT workload.

## **Statutory Public Entity**

**RTD.** The bill increases workload for RTD to review any authorizing resolutions in order to ascertain if a new authority's proposed transportation system affects, alters, or negatively affects the transit systems controlled by RTD.

## **Local Government**

To the extent that transportation planning organizations pass resolutions to become RTAs and the registered electors of the transportation planning organization approve taxation and multi-year debt questions, local government revenue may increase.

## **Effective Date**

The bill takes effect August 5, 2020, if the General Assembly adjourns on May 6, 2020, as scheduled, and no referendum petition is filed.

## **State and Local Government Contacts**

Counties	Local Affairs
Municipalities	Regional Transportation District
Special Districts	Transportation

